

Notice of Allowability

Application No.

10/762,780

Examiner

Jordan Lofdahl

Applicant(s)

NAKAMICHI, SHIGEYUKI

Art Unit

3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/23/04.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ The drawings filed on 23 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Information Disclosure Statement

It appears that an IDS was filed 1/24/03, but the examiner could not find a list of references. After speaking with David Bracken, there was no actual IDS entered. Therefore, the examiner has no official IDS to sign.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Bracken on 12/2/04

Claim 1, line 3, "to first hook" has been changed to --to a first hook--.

Claim 1, line 10, "the a barbed" has been changed to --the barbed--.

Claim 1, line 16, "into an abutting" has been changed to --into the abutting--.

Claim 1, line 21, "substantially all elastomer" has been changed to --substantially elastomer--.

Claim 1, line 22, "the steps of applying" has been changed to --applying--.

Claim 8, line 2, "the head piece" has been changed to --the head section--.

Claim 9, line 10, "the a barbed" has been changed to --the barbed--.

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Claim 9, line 24, "the steps of applying" has been changed to --applying--.

Allowable Subject Matter

Claims 1-11 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record discloses either alone and/or in combination a method of forming a fishing lure comprising a fishing hook having a first, second and third sections; connecting a fishing line to the fishing line connection; a soft bait having a head, mid does not disclose either alone and/or in combination a barbed point on the first section; one or more stay pieces consisting of elastomer or polymer substantially firmer than the soft bait; inserting the barbed point into an abutting end along the central axis of a first stay piece and threading the first stay piece from the first hook shaft to the second hook shaft and piercing the head section with the barbed point and threading the soft bait onto the hook so that the barbed point emerges before reaching the midsection; threading the pierced head section along the first and second sections to the threadable end of the stay piece and moving the first stay piece adjacent to an outside surface of the head section so that the abutting end prevents the head section from moving forward.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan Lofdahl whose telephone number is 703.605.1217. The examiner can normally be reached on m-f 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu can be reached on 703.305.7421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



jml



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